RAJYA SABHA

Tuesday, the 21st December, 19941 *20th Agrahayana,* 1915 *{Saka).*

The House met at Eleven of the Clock

[THE DEPUTY CHAIRMAN in the Chair],

ORAL ANSWERS TO QUBSTiOKS

STATE GOVERNMENT EMPLOYEES TO BE COVERED BY THE CENTRAL PAY COMMISSION

*261. SHRI SUKOMAL SEN: Will the Minister of FINANCE be pleased to refer to answer to 'Unstarred Questiou 503 given in the Rajya Sabha on the 7th Decv-mber, 1993 and state :

(a) whtiher the State Government employees tt the country Will also be brought under the gamut of the proposed Central Pay Commission ; and

(b) if not, whether there will be no discrimination between the Central and State Government employees ?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI M. V CHANDRASHEKHAR MURTHY)
(a) No, Sir.

(b) Service conditions of Central Government employees are different from those of State Government employees. The service conditions of State Government employees do not fall within the purview of the Central Government. The Central Pay Commissions set up by the Central Government from time to time examine the pay structure of Central Governmenl employees only. The States set up their own Pay Commissions to cover the terms and conditions of State Government employees. Thus, there is no discrimination, as the service conditions of both sets *of* employees are decided by their respective Governments.

SHRI SUKOMAL SEN; Madam, In the reply the Government has tried to evade the reality of the issue. It .8 also not correct that the service conditions of *tho* Central Government employees are diflEer-ent from those of the employees of tho Slate Govemments. They are not different in all respects. The difference is only in respect of the emoluments. Otherwise, the recruitment age, the retirement age, the leave ndes, the pension rules, the conduct rules etc. are guided by the articles cf the Constitution. The aiticles are applied to the employees of both the Central and the State Govemments. So, the service conditions both at the Central and the State level are equal. Only in respect of their emoluments the difference is there.

Madam, when they do the same type of work, when they do eight-hours duty and they do the same file work, whether they are employees erf the Central Government or they are employees of the State Goverus mants, the question arises why there should be a difference in their emoluments. when the Fourth Central Pay Conmiission was set up, at that time the unions of the employees of the State Govemmeats demanded that the same recommendations should be made for the employees of *th*e State Governments also so that their emoluments and allowances are on a par with those of the Central Government employees, but the Central Government did not pay heed to it.

Now the Central Government has decided to set up the Fifth Central Pay Com-niss on for the Central Govement employees. Now the same question arises. What will the Government do ? H they do not bring the employees of the State Governments under the purview of the Fifth Central Pay Commissicm, are they prepared to provide funds to the State Governments ? Immediately after the Central Pay Commission report is out, in all the States there will be a spate of strikes demanding of the State Govemmeats io provide the same scales of pay to the employees of the State Govemments also. This was done on the last three pr four

occasions In that contingency, is the Central Goyenuneat prepared to provide finance ----

THE DEPUTY CHAIRMAN: Will you please ask your question ? Three minutes you have taken to give the back ground.

SHRI SUKOMAL SEN: Madam, this is my question. After the Pay Commission's recommendations will out or during the functioning of the Central Pay Comnais sion, wiU the Central Government provide adequate funds to the State Governments to enable them to give allowances and salaries to their employees on a par with those of the Central Government employees because the State Govemments have no money ? They are devoid of money. The price rise is caused because of the policies of, the Central Government. The fiscal policies of the Central Government raise the prices of all commodities. The employees of State Governments demand increase in their D.A. to, compensate for it, The State Govemments are not responsible for the' price rise. will the Central Government compeiisate the State Governmeiits for paying the deamess aUowance to their employees because the price-rise is caused-by Mr. Maimiohan Singh's poUcy and not because of anybody else's policy ?

THE DEPUTY CHAIRMAN: He has asked all the supplementaries in one on behalf of everybody.

SHRI M. V. CIIANDRASHEKHAR MURTHY: Madam, in accordance with article 246(3) of the Constitution of India, the Legislature of any State has the exclusive powers to make any laws for such State or any part thereof with respect to any of the matters enumerated in List II j in. the Seventh Schedule, generally called the "State List". The matters concerning the State public services and State pensions have been listed at serial Nos, 41 and 42. The Central Government does not have powers to bring the matters concern-ing the employees of State Govemments under the gamut of the Pay Commissioi set up by the Central Government.

As I have already stated, it is for the State Governments to consider the prob-
lems of their employees. It is for them to decide, and under the provisions ot the Constitution they are empowered to d*o* it.

THE DEPUTY CHAIRMAN: Seconc supplementary. Let it be shorter.

SHRI SUKOMAL SEN : It will be very very short, but unfortunately I do not know who has written the answer for the Minister. The answer does not understand the problem itself.

The Hon. Minister says that the State Governments will look after the problems of the State Government employees. Now, the problem is created by Mr. Murthy and Mr. Manmohan Singh and you are asking the Stale Chief Ministers and the State Finance Ministers to look after the problems of the State Government employees. How is it possible ? Since they are cg-eating the problem, they are responsible for raising the prices, they are responsible also for providing the funds to the State Govemments. Would they agree to it ? Why don't they agree to it ?

The other thing is that they are setting up the Central Pay Commission. The Central Government Unions have demanded that when their Pay Commission is set up, the members of the Commission should be drawn from the retired Supreme Court or High Court ludges and the terms of reference of the Central Pay Commission should be finalised after consultations and discussions with the Central Government Employees'. Unions and that the Report should come out within one year. What has the Government thought about it ? I would like to know this from the Hon. Minister.

SHRI M. V. CHANDRASHEKHAR MURTHY : With regard to the latter part of the question, I would say that the

composition and the terms of reference of the proposed Pay Commission i.e. the Fifth Pay Commission, are under examination.

Regarding price rise, I wish to tell the Hon. Member that during the period between 1985 and 1992, the emoluments paid plus dearness allowance, plus additional dearness allowance plus interim relief for Central Government employees—civilian and regular employees—has increased by 99 per cent as compared to 74 per cent increase in the cost of living.

SHRIMATI MIRA DAS: I am not an economist like our Hon. Finance Minister, but as general public I should say there is no difference of price in the market as between Central Government employees and State Government eniiployees. There might be a difference in conditions of service between State and Central Govsm-ment employees, but so far as the market is concerned, they have to pay the same price, We all know that State Govern merits are not in a position. From the Reserve Bank of India bulletin it is known that it has categorically given instructions to the State Govermnents *to* lessen their expenditute out of their total revenue. So I ask the Finance Minister categoricalh from where the State Govemments get the money to give to (heir employees. If the Central Government increases salaries and allowances, from where will the State Government get money fo give to theire-employees ?

SHRI M. V. CHANDRASHEKHAP MURTHY ; Madam, I already replied that the State Governments have their exclusive powers to constitute Pay Commissions to solve the problems of their Government employees.

SHRIMATI MIRA DAS : From where will they get the money to pay ?

SHRI M. V. CHANDRASHEKHAR MURTHY : Regarding money T would tell the Hon. House That the State Governments should raise their own resources to meet their demands.

श्री गया सिंह : माननीया उपसभापति महोदया मैं आपके माध्यम से माननीय मंत्री जी से यह जानना चाहता हूं कि केन्द्रीय वेतन आयोग में पिछले दो आयोग से सैन्ट्रल गवर्नमेंट की अंडर-टेकिंग्स की जैसे एच.सी.एल. है, एन.बी.सी.सी. है, लगभग 98 ऐसी कंपनियां हैं जिन को बर्ड पे कमीशन और फोर्थ पे कमीशन की सुविधा भी मिल रही हैं और उनको सेन्ट्रल डी.ए. भी मिल रहा है । पिछले बार आपने उन को अलग किया था और सुप्रीम कोर्ट से जीत गए और एक कमीशन बहाल करना पड़ा । इस बार आप सेन्ट्रल गवर्नमेंट की उन कंपनियों को जो सेन्ट्रल डी.ए. और आपके आयोग के आधार पर उनके पेंज स्ट्रक्चर हैं, उन को इन्क्लूड कर रहे हैं या नहीं कर रहे हैं, यह मैं आपसे जानना चाहता हूं ?

THE MINISTER OF FINANCE SHRI MANMOHAN SINGH: Madam, this is a question relating to the State services. We need a separate notice to answer that question,

SHRI TRILOKI NATH CHATUR-VEDl: As the Finance Minister is aware, the Fourth Pay Commission did not cover the teachers and other categories, who are under the UGC. This caused lots of delays, resentment and some anomalies in rectifying tha) position and having the kind of parity that was envisaged by the Government. And some anomaly in rectifying that position and having the kind of parity that was envisaged by the Govern-nieni. Will the Hon. State Minister for Finance lel the House know whether the Government intends to see that this kind of a situation doesn't arise under the Fifth Pay Commission and the employees under the UGC, whether academic or administrative or professional, are accorded a fair treatment from the very beginning without delay "

SHRI M. V. CHANDRASHEKHAR MURTHY : Madam, we have, recently constituted the Fifth Pay Commission. The composition and the terms of rifertnce for the proposed Commission are still under consideration.

श्री चतुरानन मिश्र : उप सभापति महोदय, प्राइस राइस और उसके चलते डी.ए., जब केन्द्रीय सरकार कोई डी.ए. देती है तो उसका रिपरकेशन पब्लिक सैक्टर में भी होता है और उसका रिपरकेशन स्टेट गवर्नमेंट एम्प्लाइज पर भी होता है और वह इतना बड़ा होता है कि सालों भर एजीटेशन चलता रहता है और हर जगह कुछ न कुछ आन्दोलन चलता रहता है और इससे स्टेट और सेंटर का रिलेशन भी खराब होता है । इसलिए मैं मंत्री महोदय से पूछना चाहता हूं कि कोई ऐसा मेकेनिज्म हो कि जिससे डी.ए. जब बढ़े तो हरेक राज्यों से और पब्लिक सैक्टर से भी कंसल्ट करके कि कैसे उसको मीट करें, कोई रास्ता निकाला जाए, ऐसा कोई मेकेनिज्म सरकार इन्वाल्व करेगी ?

THE DEPUTY CHAIRMAN : Do you have a parity 7

SHRI MANMOHAN SINGH : Madam. our Government made every effort y to bring about a national consensus on this subject. This subject was explicitly rased twice in the National Deve lopment Council; and I am sorry to say that certain State Governments did not cooperate in this matter. But we will cer tainly make every effort to see that there is a broad national consensus on all these matters.

PROF. SAURIN BHATTACHARYA : Madanl, even after answering so many suppJementaries, the basic issue remains untouched. On behalf of the State Gov-emments, particularly the Government of West Bengal, its Chief Minister had raised the question of a policy regarding pay revision, deamess allowance, etc., so that the State Government employees can enjoy benefits at par with the Central Government employees or at least *on* a comparable basis. The price rise and other factors lead to pay revision. This affects equally the Central Government employees and the State Government em-ployees. In view of the constraint of resources on the part of all the States be-cause the resources of the States have really been taken away from them, would the Finance Minister consider seriously the question of bringing about a sort of parity between the State Governments employees and the Central Government employees in matters of pay rise, dear-ness allowance, compensatory allowance. etc. ?

SHRI MANMOHAN SINGH : Madam, my colleague has already answered this question and I can only repeat what he has said. The Central Government cannot take upon itself the responsibility and dec'de what the pay scales of the State Government employees should be. It is the Constitutional right and obligatirai of the State Governments to take decisions in this legard.

With regard to overall financial situation in the country, we do recognise that when pay revision takes place, deamess allowance increases are made, this casts additional burden both on the Centre and the States. It is in pursuance of this very considertion that the Planning Commission had appointed a committee of the National Development Council under Shri Biju Patnaik. That Committee's report was considered twice.... and I regret to say that certain State Govem-ments unequivocally said that they are not going to be a party to its implementation. In this background there is nothing that I can do.

FUNDS FOR POWER PROJECTS IN PUNJAB

*262. SHRI IQBAL SINGH : Will the Minister of FINANCE be pleased to state :

(a) whether it is a fact that Punjab is still lacking funds to finance its cuurent power projects at Shahpur Kandi and Thein dam and the extension work at Guru Nanak Thermal Plant at Bhatinda; and